

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JUL 24 2008

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

LORETTA L. DAVIS,

Plaintiff,

v.

MICHAEL J. ASTRUE, COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

CIVIL ACTION No. 3:07cv00010

JUDGMENT ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the parties' cross-motions for summary judgment [docket #10, #14], the Report and Recommendation of the U.S. Magistrate Judge [docket #17], and Defendant's objections thereto [docket #18]. For the reasons stated in the Court's Memorandum Opinion and Order, the Court hereby ADOPTS the Report and Recommendation of the United States Magistrate Judge filed December 12, 2007, DENIES Defendant's motion for summary judgment, GRANTS Plaintiff's motion for summary judgment to the extent that the Commissioner's decision is not supported by substantial evidence, but denying the motion to the extent that it seeks reversal with entry of judgment in her favor, and REMANDS this case to the Commissioner for further proceedings consistent with the Report.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

Entered this 24th day of July, 2008


NORMAN K. MOON
UNITED STATES DISTRICT JUDGE